

Joint Standing Committee on Inland Fisheries and Wildlife

LD 52 **An Act to Limit the Number of Chances a Person Has in the Moose Lottery** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP MAJ OTP-AM MIN	

LD 52 proposed to limit the number of chances a person had in the moose lottery to one chance for both residents and nonresidents.

Committee Amendment "A" (H-781), a minority report, proposed to add a fiscal note to the bill.

LD 141 **Resolve, for a Multi-year Experimental Program to Test the Effectiveness of Stocking Smelt in Maine Waters** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER	OTP-AM MAJ ONTP MIN	

LD 141 proposed to establish a multi-year experimental program to test the effectiveness of stocking live smelt in the waters of the State.

Committee Amendment "A" (H-786) proposed to add an appropriation and allocation section and a fiscal note to the resolve.

LD 287 **An Act to Allow the Use of Cage Traps for Bear** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH MARTIN	ONTP	

LD 287 proposed to allow the use of cage traps to trap bear.

LD 541 **An Act to Provide a New Opportunity in the Moose Lottery** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	ONTP MAJ OTP MIN	

LD 541 proposed to provide that the Commissioner of the Department of Inland Fisheries and Wildlife could trade one nonresident moose permit with the appropriate fish and wildlife officials in another state for a big game

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permit in that state. The out-of-state big game permit would be awarded to a resident of this State through a free lottery system.

LD 735 **An Act to Allow October Fishing** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP GAGNON	ONTP	

LD 735 proposed to allow October fishing in certain counties.

LD 761 **An Act Pertaining to Bear Hunting Permits** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	ONTP	

LD 761 proposed to establish a new bear hunting permit that would be required for all bear hunters beginning in 2002. This bill would:

1. Make the black bear hunting permit equivalent to that of other big game species;
2. Eliminate a system that had allowed many hunters to take a bear without a permit; and
3. Establish a mechanism that could be used in the future to better distribute bear hunting pressure.

LD 1861 **An Act to Restrict the Use of Motors Greater than 10 Horsepower
on Certain Ponds in Chain of Ponds Township in Franklin County** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY	ONTP	

LD 1861 proposed to prohibit the operation of a watercraft equipped with a motor greater than 10 horsepower on Natanis Pond, Long Pond, Bag Pond or Lower Pond in Chain of Ponds Township.

LD 1895 **An Act to Clarify the Lines of Effort in a Search and Rescue
Operation** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART DUNLAP	ONTP	

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LD 1895, a concept draft pursuant to Joint Rule 208, proposed to authorize local fire and police departments, local medivac and dive teams and other similar organizations to become involved in search and rescue efforts as first responders.

LD 1923

An Act to Amend Maine's Wild Turkey Hunting Season

**PUBLIC 655
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	H-1076 DUNLAP S-430

LD 1923 proposed to repeal language in the statute that restricts the Commissioner of Inland Fisheries and Wildlife from establishing a fall wild turkey hunting season. This bill also proposed to add wild turkeys to the statutes dealing with substantial damage by wild animals.

Committee Amendment "A" (S-430), which was adopted as amended by House Amendment "A," proposed to remove the prohibition on using electronic calling devices while hunting wild turkey.

The amendment proposed to delay the effective date for the imposition of wild turkey hunting permit fees to July 1, 2002. It also proposed to add an appropriation section and a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-1076), which was adopted, proposed to remove the prohibition on using electronic turkey calls and make the repeal of the Maine Revised Statutes, Title 12, section 7469, subsection 11 effective June 5, 2002.

Enacted law summary

Public Law 2001, chapter 655 authorizes the Commissioner of Inland Fisheries and Wildlife to from establish a fall wild turkey hunting season and removes the prohibition on using electronic turkey calls. It also adds wild turkeys to the statutes dealing with nuisance wild animals.

Public Law 2001, chapter 655 was enacted as an emergency measure effective April 10, 2002.

LD 1929

An Act to Stabilize the Funding of the Department of Inland Fisheries and Wildlife

PUBLIC 690

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP-AM A	H-1021
CARPENTER	ONTP B	H-1061 DUNLAP
	OTP-AM C	S-600 GOLDTHWAIT

LD 1929 proposed to increase various hunting and fishing license and permit fees. This bill also proposed to establish a program that requires the cost of providing general fish-related and wildlife-related benefits are equitably shared between the General Fund and license fees.

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Committee Amendment "A" (H-1021), which was adopted as amended by House and Senate Amendments "A", proposed to replace the bill and do the following:

1. Establish the Fiscal Stability Program to require the executive branch, beginning with the 2004-2005 biennial budget and for each biennial budget thereafter, to submit a biennial budget that includes a General Fund appropriation of 18% of the Department of Inland Fisheries and Wildlife's requested biennial budget;
2. Establish the Wildlife Enthusiast's Conservation Appreciation, Recreation and Enjoyment support program to encourage voluntary support for non-game programs and services provided by the department. The fee for participating in this program would be \$19;
3. Authorize the department to charge a fee of up to \$10 to cover administrative costs for the issuance of miscellaneous licenses and permits that do not have a fee provided by law;
4. Remove the fee schedule for boys and girls camp fishing licenses that is based on the number of campers and replaces it with a fee of \$75 for all camps;
5. Increase the permit fee for migratory waterfowl to \$5.50 and a bear hunting permit to \$25 for residents and \$65 for nonresidents;
6. Set bass tournament fees for weigh-in tournaments at \$50 per day and for catch-and-release at \$10 per day and establishes a 3-year guide license for \$79;
7. Modify the application process for an antlerless deer permit, increase the fee for the permit from \$1 to \$10 and remove the prohibition against junior hunters transferring an antlerless deer or turkey permit to a qualified person;
8. Remove the requirement that a person must show proof of a valid hunting license or big game license before being issued a moose or turkey permit;
9. Create a 10-chance application for a moose permit for nonresidents for \$50;
10. Set the registration fee for all-terrain vehicles at \$17 for residents and \$35 for nonresidents and require that after administrative costs, 50% of the revenues raised be deposited in the ATV Recreational Management Fund and that the department use a portion of the funds for an ATV law enforcement grant-in-aid program; and
11. Add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-1061), which was adopted, proposed to repeal the expanded archery season and make these changes effective January 1, 2003.

Senate Amendment "A" to Committee Amendment "A" (S-600), which was adopted, proposed to appropriate \$30,000 to the Department of Conservation, Boating Facility Program for repairs to the Verona boat launch.

Enacted law summary

Public Law 2001, chapter 690 does the following:

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1. Establishes the Fiscal Stability Program to require the executive branch, beginning with the 2004-2005 biennial budget and for each biennial budget thereafter, to submit a biennial budget that includes a General Fund appropriation of 18% of the Department of Inland Fisheries and Wildlife's requested biennial budget;
2. Establishes the Wildlife Enthusiast's Conservation Appreciation, Recreation and Enjoyment support program to encourage voluntary support for non-game programs and services provided by the department;
3. Authorizes the department to charge a fee of up to \$10 to cover administrative costs for the issuance of miscellaneous licenses and permits that do not have a fee provided by law;
4. Removes the fee schedule for boys and girls camp fishing licenses that is based on the number of campers and replaces it with a fee of \$75 for all camps;
5. Increases the permit fee for migratory waterfowl to \$5.50 and a bear hunting permit to \$25 for residents and \$65 for nonresidents;
6. Sets bass tournament fees for weigh-in tournaments at \$50 per day and for catch-and-release at \$10 per day and establishes a 3-year guide license for \$79;
7. Increases the fee for an antlerless deer permit from \$1 to \$10 and removes the prohibition against junior hunters transferring an antlerless deer or turkey permit to a qualified person;
8. Removes the requirement that a person must show proof of a valid hunting license or big game license before being issued a moose or turkey permit;
9. Creates a 10-chance application for a moose permit for nonresidents for \$50;
10. Sets the registration fee for all-terrain vehicles at \$17 for residents and \$35 for nonresidents and requires that after administrative costs, 50% of the revenues raised be deposited in the ATV Recreational Management Fund and that the department use a portion of the funds for an ATV law enforcement grant-in-aid program;
11. Repeals the expanded archery season and corresponding cross-references effective January 1, 2003; and
12. Appropriates \$30,000 to the Department of Conservation, Boating Facility Program for repairs to the Verona boat launch.

LD 1939

**An Act to Allow Landowner Permits to be Issued for Turkey
Hunting**

**PUBLIC 530
EMERGENCY**

Sponsor(s)
CHICK
EDMONDS

Committee Report
OTP

Amendments Adopted

LD 1939 proposed to allow the Commissioner of Inland Fisheries and Wildlife to issue turkey hunting permits to landowners who keep their land open to the public for hunting.

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Enacted law summary

Public Law 2001, chapter 530 allows the Commissioner of Inland Fisheries and Wildlife to issue turkey hunting permits to landowners who keep their land open to the public for hunting.

Public Law 2001, chapter 530 was enacted as an emergency measure effective March 14, 2002.

LD 1968

**An Act to Require the Owner of a Submerged Snowmobile or Boat
to Remove the Snowmobile or Boat**

**PUBLIC 536
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH	OTP-AM MAJ	H-844
MICHAUD MH	OTP-AM MIN	

LD 1968 proposed to require the owner of a submerged snowmobile or motor boat to remove it from the water.

Committee Amendment "A" (H-844), which was adopted, required the owner of a snowmobile or motorboat submerged in the inland waters of the State for longer than 24 hours to notify the Commissioner of Inland Fisheries and Wildlife. The proposed amendment also required the owner of that submerged snowmobile or motorboat to pay damages resulting from the submersion. The amendment also proposed to prohibit the operation of a snowmobile on the open water areas of public inland waters and require that the owner or operator remove a snowmobile submerged in violation of this section within 24 hours.

The amendment also proposed to add an emergency clause and a fiscal note to the bill.

Committee Amendment "B" (H-845), which was not adopted, proposed to require the owner of a snowmobile or motorboat submerged in the inland waters of the State for longer than 24 hours to notify the Commissioner of Inland Fisheries and Wildlife and to require the owner of that submerged snowmobile or motorboat to pay damages resulting from the submersion.

The amendment also proposed to add an emergency clause and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 536 requires the owner of a snowmobile or motorboat submerged in the inland waters of the State for longer than 24 hours to notify the Commissioner of Inland Fisheries and Wildlife. It also prohibits the operation of a snowmobile on open water areas of public inland waters and requires that the owner or operator of a snowmobile submerged in violation of this section remove the snowmobile within 24 hours and pay any damages resulting from the submersion.

Public Law 2001, chapter 536 was enacted as an emergency measure effective March 18, 2002.

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LD 2040

An Act to Change the Registration Requirement for Certain Motorboats Used in Maine Waters

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	ONTP	

LD 2040 proposed to require that motorboats registered in another state or country that were used on Maine waters in excess of 14 consecutive days would be registered in the State.

LD 2078

An Act to Ban the Use of Aircraft While Hunting

PUBLIC 610

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER	OTP-AM MAJ	S-483
DUNLAP	ONTP MIN	

LD 2078 proposed to prohibit the use of aircraft to hunt big game and to prohibit a person from hunting big game on the same hunting day that the person has flown on a chartered or privately owned aircraft.

Committee Amendment "A" (S-455), which was not enacted, proposed to remove the prohibition on a person hunting a big game animal on the same day that person was airborne on a chartered or privately owned aircraft. It also adds a fiscal note to the bill.

Committee Amendment "B" (S-483), which was adopted, proposed to remove the prohibition on a person hunting a big game animal on the same day that person was airborne on a chartered or privately owned aircraft. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 610 prohibits the use of aircraft to hunt big game.

LD 2081

An Act to Implement the Unanimous and the Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

PUBLIC 693

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1054

LD 2081 proposed to implement the unanimous and the majority recommendations of the Commission to Study Equity in the Distribution of Gasoline Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft and is reported pursuant to Resolve 2001, chapter 68. This bill proposed to immediately increase annual gasoline tax allocations to those agencies that support those outdoor recreational activities by 50% of the current amount in fiscal years 2002-03, 2003-04 and 2004-05, while ensuring full equity over the longer term by establishing a process that will result in the allocation of 100% of the excise taxes for gasoline paid by those users back to the programs that support those activities beginning in fiscal year 2005-06.

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The bill proposed to the Department of Transportation, the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources jointly conduct surveys every 3 years to determine the amount of gasoline consumed by each of the user groups. After reviewing those results, the State Controller would certify to the State Tax Assessor the specific percentage of total gasoline excise tax revenues that is to be allocated to the agencies administering those programs.

The bill also proposed to require the Commissioner of Inland Fisheries and Wildlife to maintain snowmobile, watercraft and all-terrain vehicle registration data, including the telephone number of the registrant, in an electronic database format that can be used for future surveys designed to estimate gasoline consumption by those vehicles and require the commissioner, beginning in January 2003, to obtain the name, address and phone number of nonresident boaters who operate motorboats on inland waters and who purchase a lake and river protection sticker.

The bill also proposed to require the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to update, every 5 years, their "Public Access to Maine Waters Strategic Plan" and their snowmobile and ATV needs assessment. Reports on the Public Access to Maine Waters Strategic Plan must be submitted jointly to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resource matters and reports on snowmobile and all-terrain vehicle needs assessments must be submitted jointly to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over public recreation matters beginning in January 2005, and every 5 years thereafter.

Committee Amendment "A" (H-1054), which was adopted, proposed to remove the survey requirements and readjust the percentages of gasoline tax revenue attributable to motorboats, snowmobiles and ATVs to provide a \$750,000 increase over current funding levels for years starting on July 1, 2003 to June 30, 2005. After June 30, 2005, the percentages established by this amendment would be applied to the current total gasoline tax revenue to determine the amount attributable to motorboats, snowmobiles and ATVs. This amendment also proposed to remove the requirement that 50% of the ATV gasoline tax revenue increase be used for enforcement purposes and make this bill effective July 1, 2003.

It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 693 sets the percentages of gasoline tax revenue attributable to motorboats, snowmobiles and ATVs to provide a \$750,000 increase over current funding levels for years starting on July 1, 2003 to June 30, 2005. After June 30, 2005, the percentages established by this law will be applied to the current total gasoline tax revenue to determine the amount attributable to motorboats, snowmobiles and ATVs. Public Law 2001, chapter 693 also requires the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to update, every 5 years, their "Public Access to Maine Waters Strategic Plan" and their snowmobile and ATV needs assessment.

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LD 2104

**Resolve, to Further Protect Endangered and Threatened Species
Through Better Communication**

RESOLVE 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS NUTTING J	OTP-AM	H-1018

LD 2104 proposed to require landowners to include on any commercial harvesting activity maps provided to the Department of Conservation the location of any site in the harvesting area known to the landowner or the Department of Inland Fisheries and Wildlife to currently or historically serve as the nesting site for a species listed in the Maine Revised Statutes as endangered or threatened.

Committee Amendment "A" (H-1018), which was adopted, proposed to replace the bill with a resolve and require the Department of Conservation and the Department of Inland Fisheries and Wildlife to evaluate the current systems of communication between the departments private landowners and foresters regarding the location of endangered and threatened species on private property. The departments would be required to report their findings and any proposed legislation to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife by January 2, 2003. It also proposed to add a fiscal note.

Enacted law summary

Resolve 2001, chapter 104 requires the Department of Conservation and the Department of Inland Fisheries and Wildlife to evaluate the current systems of communication between the departments, private landowners and foresters regarding the location of endangered and threatened species on private property. It directs the departments to report their findings and any proposed legislation to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife by January 2, 2003

LD 2180

An Act to Provide Funding for Conservation Education

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN COLWELL	ONTP	

LD 2180 proposed to provide funds to the Department of Inland Fisheries and Wildlife for youth conservation education programs by auctioning off 10 moose permits annually and ensuring that at least 1/2 of the proceeds from the auctions is returned to the department. The auctions would be conducted by a tax-exempt national organization that will use the remaining 1/2 of the proceeds to support a wide range of firearm-related, public-interest activities, including promoting firearms and hunting safety, enhancing the marksmanship skill of those participating in the shooting sports and educating the general public about firearms in their historic, technologic and artistic context.

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LD 2196

An Act to Permit Small Game Hunting on Private Property on Sunday in Unorganized Territory

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN	ONTP MAJ OTP-AM MIN	

LD 2196 proposed to allow the Department of Inland Fisheries and Wildlife to authorize a private landowner owning a continuous piece of property that was greater than 500 acres and located entirely within unorganized territory to open that property to hunters licensed to hunt on Sunday. The Commissioner of Inland Fisheries and Wildlife would be able to issue Sunday hunting permits to hunt rabbit and grouse during the regular open season on authorized private property. The commissioner would not be able to authorize private property for Sunday hunting if that property adjoins certain public property. The bill proposed that the fee for a Sunday hunting permit would be \$15.

Committee Amendment "A" (H-1038), the minority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to prohibit the Commissioner of Inland Fisheries and Wildlife from authorizing property for Sunday hunting if the property owner did not keep that property open to hunting by the public. The amendment also proposed to set an effective date of January 1, 2003 and a repeal date of January 1, 2005. The amendment also proposed to add a fiscal note to the bill.

LD 2204

An Act to Implement Municipal Recommendations Regarding Surface Water Use on Great Ponds

PUBLIC 638

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ ONTP MIN	

LD 2204 proposed to prohibit the use of personal watercraft on Middle Branch Pond in the Town of Waterboro and on Crystal Lake in the Town of Washington. It also proposed to prohibit the use of personal watercraft on Highland Lake or Woods Pond in the Town of Bridgton if the personal watercraft is rented and does not display a decal identifying the rental agency that owns the personal watercraft. Additionally, this bill proposed to prohibit the operation of motorboats having more than 10 horsepower on Middle Branch Pond in the Town of Waterboro or on Adams Pond, Foster Pond or Otter Pond in the Town of Bridgton.

Enacted law summary

Public Law 2001, chapter 638 prohibits the use of personal watercraft on Middle Branch Pond in the Town of Waterboro and on Crystal Lake in the Town of Washington. It also prohibits the use of personal watercraft on Highland Lake or Woods Pond in the Town of Bridgton if the personal watercraft is rented and does not display a decal identifying the rental agency that owns the personal watercraft. Additionally, Public Law 2001, chapter 638 prohibits the operation of motorboats having more than 10 horsepower on Middle Branch Pond in the Town of Waterboro or on Adams Pond, Foster Pond or Otter Pond in the Town of Bridgton.

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